

Fox Television Stations, Inc.

Political Disclosure Statement

WJBK FOX 2 DETROIT

March 4, 2010

The following sets forth the policies and practices of Station **WJBK FOX 2, MyFoxDetroit.com, Detroit Michigan** (the “Station”), regarding the sale of time to candidates for public office. It is intended for the sole purpose of complying with the rules of the Federal Communications Commission, and is not a contract for the sale of advertising time.

- 1) **Applicability:** Except as otherwise stated, these policies apply **only** to Uses of the Station by political candidates. A Use is an announcement/advertisement or programming sponsored, controlled, or approved by a legally-qualified candidate for public office or the candidate’s authorized campaign committee in which a legally-qualified candidate for public office appears in person (by recognizable voice and picture) and which promotes the candidate’s campaign for election. The Lowest Unit Rate Period is the period during the 45 days before the primary election (INSERT DATES), and the 60 days before the general election (INSERT DATES). The Station is required by federal law to sell advertisements for Uses by legally qualified federal candidates at the Lowest Unit Rate for the same amount and class of time as the time period ordered by the candidate. During other than prescribed Lowest Unit Rate Periods, and for all advertisements that are not Uses, the Station may charge its prevailing commercial rates.
- 2) Unless otherwise stated, these policies are **not applicable** to material provided by independent political action committees; to schedules not sponsored, controlled or approved by a legally-qualified candidate; to announcements in which the candidate does not appear in person (by recognizable voice and picture); to announcements regarding ballot questions, initiatives and measures; or to non-candidate “issue” advertising. The Station reserves the absolute right to refuse to sell spots for these types of commercials to the extent permitted by federal regulations. All spots of this nature will be reviewed by Station management prior to telecast and may be rejected for any reason. With respect to “issue” advertising, no spot will be accepted if it contains the voice or likeness of a qualified candidate. The disclosure and public file requirements rules are also applicable to political action committees and non-candidate issue advertising and will be available for public inspection during normal business hours.
- 3) **Access:** All legally qualified federal candidates are entitled to Reasonable Access to the Station’s facilities for the purchase of time during an election campaign. While the Station retains the ultimate discretion to determine the amount, type and location

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of time sold to meet the needs of federal candidates, the Station will consider any such requests for time and be available to make reasonable accommodations with respect to such requests in light of all relevant circumstances applicable to the candidate and the Station. Although the Station is under no obligation to afford Reasonable Access to state or local candidates, the Station will also consider requests to purchase political time by legally qualified state and local candidates for office.

- 4) **Federal Candidate Bipartisan Campaign Reform Act Certification:** Federal candidates seeking the lowest unit rate for political advertising aired during the designated pre-election periods are required to supply the Station, pursuant to the Bipartisan Campaign Reform Act of 2002, with a certification stating that the candidate's political advertising either (i) will not make any direct reference to another candidate for the same office; or (ii) will contain the following at the conclusion of the advertisement: a clearly identifiable photographic or similar image of the sponsoring candidate and a clearly readable printed statement identifying the candidate and stating that the candidate approved the broadcast, and the candidate or the candidate's authorized committee paid for the broadcast of the advertisement. Any candidate who fails to supply the required certification will not be allowed to purchase advertising at the Lowest Unit Rate. In addition, if the Station determines that the candidate's certification does not accurately describe the content of any advertisement provided by the candidate or the candidate's authorized committee for broadcast on the Station during the designated pre-election period, the candidate will not be permitted to purchase time on the Station at the Lowest Unit Rate for the remainder of the pre-election period in question.
- 5) **Sponsorship Identification:** All spots and programming must comply with the sponsorship identification requirements of Section 317 of the Communications Act, and the rules and policies of the FCC. The required sponsorship information must be visible for at least four seconds and appear in letters at least 4% of the vertical screen height. In general, the wording should be of sufficient size to be readily legible to the average viewer, and should be shown against a background that does not reduce its legibility. Should candidate material not contain the proper sponsorship identification, the Station reserves the right to supply the audio and visual identification required by federal law **within** the scheduled running time of the political programming. Failure to meet **all** qualifications may cause the ad not to run.
- 6) **Orders:** Orders for political time will not be considered firm and will not be scheduled until **all** of the following have been received or satisfied.
 - a) Completed and signed Agreement form for Political Candidates (Form PB-16 or similar) and acknowledgement of the receipt of this disclosure statement.
 - b) With regard to candidates for federal office, unless the candidate, the candidate's campaign committee or the candidate's agency has established an acceptable

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credit history with the Station and has agreed to assume full responsibility for all air time and production charges pertaining to the purchase of political time by the candidate, net cash payment must be received not later than three (3) working days in advance of the broadcast of the first announcement scheduled in any contract. Advertising agencies meeting Station credit policies may be granted credit **only if** the agency assumes sole responsibility for the charges. All other forms of announcements, including but not limited to announcements sponsored by non-federal candidates, announcements sponsored by independent political action committees and non-candidate “issue” advertising, must be paid at the time an order is placed.

- c) Where the purchase is made by a corporation, committee, association or other group, the name of the entity making the purchase, the name, address and phone number of a contact person for such entity, and a list of the chief executive officers or members of the executive committee or of the board of directors of such entity. This information will be placed in the Station’s public files and will be available for public inspection during normal business hours.
- d) Where doubt exists, satisfactory proof must be provided to the Station that the candidate is “legally-qualified,” as that term is defined by the FCC.
- e) Where doubt exists, satisfactory proof must be provided to the Station that the purchaser is authorized to buy time on behalf of the candidate and that the spot or programming is approved, controlled or sponsored by the candidate or the candidate’s authorized campaign committee.
- f) Advance orders for schedules of political advertising will be subject to reconfirmation 30 days preceding the start of the schedule.
- g) Commercial facilities (videotape or copy), along with written instructions for their use, should be submitted to the Station as soon as possible to ensure proper airing. **All instructions for airing of announcements and programming should be in writing.** Changes to these instructions should be submitted to the Station in writing (by letter or fax) in a timely fashion. The Beta SP or Beta SX Format of the commercial should be submitted to the Station sufficiently in advance of the first scheduled air date to permit confirmation of compliance with sponsorship identification requirements and with broadcast technical standards.
- h) Deadlines for all commercial material, time orders, and contract changes are as follows:

3:00 PM Wednesday – for Saturday and Sunday’s log
3:00 PM Thursday – for Monday’s log
3:00 PM Friday – for Tuesday’s log

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3:00 PM Monday – for Wednesday's log
3:00 PM Tuesday – for Thursday and Friday's log

The failure of a political advertiser to fulfill **all** requirements in advance of the deadlines may result in preemption of some or all announcements or programs previously scheduled. During the weekend before the primary and the weekend before the general election, Station staff will be available for orders and facility changes.

7) Availability:

- a) Legally-qualified candidates may purchase time on the basis of any class of time set forth on the attached rate card, subject to availability. The base availability is a 30-second commercial (including sponsorship identification). Spot time is available in other lengths of 10, 15, 60, 90, or 120 seconds (rates available on request).
 - b) Candidates should be aware that, unless a contrary result is demanded by Equal Opportunity requirements, orders for the purchase of time made after 12:00 noon on the Thursday preceding Election Day may not be filled due to lack of availabilities. The earlier an order is placed the greater the scheduling options.
 - c) The Station will place all orders as to day and time subject to availability. Due to potential Equal Opportunities obligations with respect to opposing candidates, certain time periods may be unavailable for candidates in other political races. Equal Opportunities is defined as a comparable time period and audience but not necessarily the same day, daypart, time or program.
 - d) Request for program time, including lengths of 30 and 60 minutes, will be considered on an individual basis. No promotional announcements (aside from a candidate's separately purchased spots) will be scheduled to promote political programs.
 - e) The Station cannot guarantee schedule separation of announcements by political candidates. This reflects our usual policy with respect to commercial advertisers as well.
 - f) The Station will not run political advertising on the day of the primary election or the day of the general election.
- 8) **Rates:** The Station schedules many different rates for like programs and/or ROS dayparts. Political advertisers are entitled to purchase commercial time on the same basis as commercial advertisers (on a preemptible basis) or, for legally qualified

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candidates, at a Candidate Discount Rate. Quoted rates for avail requests are for 30-second spots. Rates for other lengths of spots will be quoted upon request.

The Station sells only an immediately preemptible class of time to commercial advertisers. The Station will provide the clearance rate for the proposed buy at the time of request, with the understanding that preemption by higher rate advertisers applies to political candidates and commercial advertisers in like manner. The Station's rates for commercial time fluctuate in response to market conditions, as often as day-to-day. Revised rates are made available upon request. The Station's political sales representatives can provide planning rates in advance of political rate periods on request. Candidates or their respective agency must utilize rates designated on the Station rate card for the class of time to be utilized by the candidate. Prospects for clearance usually diminish as the election draws closer.

The Station also makes available a Candidate Discount Rate to legally qualified candidates which is the Station's effective/prevailing selling rate less ten percent (10%). This is a special candidate only rate which is nonpreemptible, except in unforeseen circumstances.

The Station also negotiates a commercial schedule on a mutually agreed-upon percentage of total rating points (Cost Per Point or CPP). Advertising bought on a CPP basis is negotiated on a case-by-case basis. Should the Station not meet the agreed-upon rating point percentage, the Station will issue Make-Good spots for audience deficiency based on available inventory, but such Make-Good spots are not necessarily in the same programs or dayparts, nor on a time-sensitive basis. If the election has ended and the Station owes a Make-Good on advertising bought on a CPP basis, the Station will rebate the candidate the value of the Make-Good.

- 9) **Make-Goods:** The Station will use its best efforts to provide Make-Good spots prior to the election for candidate Use spots that are preempted due to technical difficulties or because of the nature of the time purchased. Although the Station's policy is to offer all candidates Make-Goods before the election, it cannot guarantee to any advertiser that Make-Goods will be provided in the time period or rotation originally ordered. If inventory constraints preclude such identical scheduling, the Station will offer Make-Goods of equivalent value. If these are not acceptable to the candidate, the Station will provide credits or refunds for preempted spots.
- 10) **Rebates:** In the event that the station clears advertising time during the prescribed Lowest Unit Rate Period during an applicable window for the primary or general election, for a particular amount and class of time in a particular time period at a rate which is lower than the rate charged a candidate for a Use (as defined earlier) of the same amount and class of time in the same time period, the Station will afford the candidate the benefit of the lower rate by means of a rebate or a credit against future

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purchases, net of agency commission. No adjustments will be made for purchases not subject to Lowest Unit Rate requirements.

- 11) **Packages:** Combinations of classes of time are available. During the prescribed Lowest Unit Rate Periods prior to the primary and general elections, each spot ordered which is entitled to the Lowest Unit Rate will reflect the charge for each class of time at the appropriate lowest unit charge; during other periods, or for purchases not subject to lowest unit rate obligations, the rates for packages are subject to negotiation. Rates for each class of spot in a package will be allocated separately by the Station.
- 12) **Value Added Features:** If scheduled during the pre-election periods, candidates may purchase spots with value-added elements in conjunction with air-time on the same terms offered to commercial advertisers, including non-cash promotional incentives. Details will be provided upon request. "Billboard" or program sponsorship arrangements are not available to political advertisers. No value-added feature will be available if it would associate the Station's call letters with a candidate, would in any other manner identify the Station with a candidate or would otherwise create an appearance that the Station approves of or advocates the election of any candidate.
- 13) **Rotations:** Spots may be purchased individually or in designated rotation among several designated days or time periods. During other than the prescribed Lowest Unit Rate Periods, the rates charged for rotation packages will be subject to negotiation.
- 14) **Public Inspection File:** The Station's public inspection file, including its political file, is available for inspection during regular business hours at the following location: [16550 W. 9 Mile Road, Southfield, MI 48075]

Questions concerning the policies outlined in this disclosure should be directed to

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Attachment: Political Rate Card